IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 4745 of 2005

Between:

Sarampalli Gopal, S/o. Venkataiah
R/o. C.C.C. Naspur Colony, Mancherial,
Adilabad District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Mancherial, Adilabad District.
2 The Mandal Revenue Officer, Mancherial, Adilabad District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or direction preferably writ of Mandamus declaring the action of the respondents and their staff in trying to dispossess the petitioner from the land admeasuring Ac. 2-00 in Sy.No. 42 situated at Naspur (V) Mancherial(M) Adilabad District, without issuing any notice and without initiating any proceedings is illegal, arbitrary, and violative of principles of natural justice and consequently direct the respondents and their staff not to dispossess the petitioner from the said land.

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

The petitioner was granted patta in respect of land in Survey No.42 of Nasapur

Vilage, Mancherial Mandal, Adilabad District on 18.11.1997. His grievance is that even while the patta is in force, the respondents are trying to dispossess him by allotting it to the Mancherial unit of Telangana Non-Gazetted Officers.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

The petitioner was granted patta for an extent of Ac.2.00 of land in Survey No.42 of Nasapur Village, Mancherial Mandal, Adilabad District way back on 18.11.1997. The same enables him to exercise rights of ownership and possession over the land. If the respondents are of the view that the petitioner had violated any conditions of patta or that the patta became incompatible for any reasons, necessary proceedings are to be initiated, duly putting the petitioner on notice. There does not exist any justification to interfere with the rights of the petitioner, as long as the patta is in force.

Hence, the writ petition is disposed of, directing that the respondents shall not interfere with the possession or other rights of the petitioner over the land admeasuring Ac.2.00 in Survey No.42 of Nasapur Vilage, Mancherial Mandal, Adilabad District, as long as the patta granted in his favour is in force. There shall be no order as to costs.

_____

11.03.2005

Note: Issue C.C. by 14.03.2005

(B/o)

Jsu

To

1 The Revenue Divisional Officer, Mancherial, Adilabad District.
2 The Mandal Revenue Officer, Mancherial, Adilabad District.

3 2 CCs to the G.P. for Revenue, High Court Buildings, Hyderabad. (OUT)

4 2 CD copies